



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bryan Spiess, et al.
Serial No. : 10/068,243
Filed : February 6, 2002 Group Art Unit: 3726
For : CONVEYOR ROLLER Examiner: M. Jimenez
Docket No. : A 490-003-PAT

Commissioner of Patents and Trademarks
Washington, D. C. 20231

REPLY BRIEF

Argument:

Group 1 - Claim 6 rejected under 35 U.S.C. §112

The responsive memorandum identifies "homogenous" as having multiple definitions, one of which can be interpreted inconsistent with the application. To arrive at the inconsistent interpretation, the Examiner was forced into ignoring the law as set forth in *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 979 (Fed. Cir. 1995). Binding authority must be followed. Accordingly, the rejection must be withdrawn.

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Reply Brief Noted MJ 10/14/05